REMARKS

The present application was filed on February 21, 2002 with claims 1 through 19. Claims 1 through 19 are presently pending in the above-identified patent application. Claims 1, 5, 8, 12, 14, and 18 are proposed to be amended herein.

In the Office Action, the Examiner rejected claims 1-19 under 35 U.S.C. §103(a) as being unpatentable over Abecassis (United States Patent No. 6,408,128) in view of Herz (United States Patent No. 5,758,257).

The Examiner is thanked for the courtesy of a telephone interview on March 7 where the section 103 rejection was discussed. The Examiner suggested to Applicant to further define the calculation performed by the digest server. Applicant agreed to *consider* amending claim 1 to recite that the digest server calculates a degree on a scale of importance for content. The Examiner indicated that the proposed claim amendment appears to overcome the prior art of record

Independent Claims 1, 5, 8, 12, 14 and 18

Independent claims 1, 5, 8, 12, 14 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Abecassis in view of Herz. Regarding claim 1, the Examiner acknowledges that Abecassis fails to disclose wherein a server converts the meta data into characteristic values, wherein the digest server calculates an importance level for each of a plurality of content segments, but asserts that Herz teaches this limitation (col. 11, lines 31-35; and col. 13, lines 30-39).

Applicants note that Abecassis teaches

> To provide intelligence to the dropping of segments, a video map could, for example, additionally provide information which may be utilized to assess the relative importance of segments, e.g., a segment may be assigned a relevance rating code ranging from 1-10, with 10 being the most relevant. (Col. 56, lines 49-54.)

While Abecassis teaches that "the video map could…***provide information*** *which may be utilized to* assess the relative importance of segments," Abecassis does *not* disclose or suggest that a ***machine or video map*** *assigns the importance level without client intervention.*

Also, in the text cited by the Examiner, Herz teaches:

> Alternatively, in the presently preferred embodiment, more sophisticated techniques are used to generate the initial content profiles. In the

> preferred embodiment, *the content profile of a program* is determined automatically from the word frequency of certain words in the text or on-line description of a program or the frequency of certain words in the closed captions of a television show, where such words are chosen as representative of certain categories. Of course, other simpler techniques such as one which simply determines the presence or absence of particular characteristics may be used within the scope of the invention.
> (Col. 13, lines 30-39; emphasis added.)

Contrary to the Examiner's assertion, Herz does *not* disclose or suggest *wherein the* ***digest server*** *calculates an importance level for each of a plurality of content* ***segments or scenes***. Independent claim 1 requires wherein the digest server converts the meta data into characteristic values, *wherein the digest server calculates an importance level for each of a plurality of content segments*. Independent claim 5 requires *importance level estimation means, for estimating an importance level for each of a plurality of content segments*. Independent claim 8 requires a meta data characteristic value database adapted to store characteristic values obtained from meta data included in video content; an *importance level calculator adapted to estimate an importance level for each of a plurality of scenes in the video content*.

Applicants also note that independent claims 12, 14, and 18 were previously amended to incorporate the limitation of claim 1 directed to automatically assigning the importance level. In particular, independent claims 12 and 18 require *wherein said video digest is created based on a processor-generated importance level for each of a plurality of content segments*. Independent claim 14 requires *calculating a video importance level for each scene based on a probability and based on a determined content score for the scene ...and wherein said video importance level is calculated by a processor*.

Applicants note that the term "level" is defined as "*an extent, measure or degree of intensity*" and that the term "degree" is defined as "*a position on a scale of intensity or amount or quality*." (See, dictionary.com; emphasis added.) The independent claims have therefore been amended to require *wherein said importance level is a degree of importance.*

Thus, Abecassis and Herz, alone or in combination, do not disclose or suggest wherein the digest server converts the meta data into characteristic values, wherein the digest server calculates an importance level for each of a plurality of content segments,...wherein said importance level is a degree of importance, as required by independent claim 1, do not disclose or suggest importance level estimation means, for estimating an importance level for each of a

plurality of content segments, wherein said importance level is a degree of importance, as required by independent claim 5, do not disclose or suggest a meta data characteristic value database adapted to store characteristic values obtained from meta data included in video content; and an importance level calculator adapted to estimate an importance level for each of a plurality of scenes in the video content,…wherein said importance level is a degree of importance, as required by independent claim 8, do not disclose or suggest wherein said video digest is created based on a processor-generated importance level for each of a plurality of content segments, wherein said importance level is a degree of importance, as required by independent claims 12 and 18, and do not disclose or suggest calculating a video importance level for each scene based on a probability and based on a determined content score for the scene …and wherein said video importance level is calculated by a processor, and wherein said importance level is a degree of importance, as required by independent claim 14.

Dependent Claims 2-4, 6-7, 9-11, 13, 15-17 and 19

Dependent claims 2-4, 6-7, 9-11, 13, 15-17 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Abecassis in view of Herz..

Claims 2-4, 6-7, 9-11, 13, 15-17 and 19 are dependent on claims 1, 5, 8, 12, 14, and 18, respectively, and are therefore patentably distinguished over Abecassis and Herz, alone or in combination, because of their dependency from independent claims 1, 5, 8, 12, 14, and 18 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

All of the pending claims, i.e., claims 1-19, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,

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